

**PETITION FOR CLAIMING BENEFIT OF EARLIER FILING DATE AND  
CROSS-REFERENCE TO OTHER APPLICATIONS, 37 CFR § 1.78 (a) (3)**

**SUBJECT APPLICATION**

Inventor:	Robert A. Gonsalves	Art Unit:	2622
Application No.:	10/798,004	Examiner:	Luong T. Nguyen
Filed:	12 March, 2004		
Title:	A video camera utilizing sequential diversity imaging for image clarification		

**REFERENCE APPLICATION**

Inventor:	Robert A. Gonsalves	Art Unit:	2878
Application No.	09/905,693	Examiner:	Patrick J. Lee
Filed:	14 November, 2000		
Title:	Sequential diversity imaging		

**APPLICANT HEREBY PETITIONS THAT THE ABOVE SUBJECT APPLICATION BE GRANTED THE BENEFIT OF THE EARLIER FILING DATE OF THE ABOVE REFERENCE APPLICATION.**

1. The Reference Application is Application No. 09/905,693, entitled "Sequential diversity imaging," and was filed on 14 November, 2000. The Subject Application, No. 10/798,004, entitled "A video camera utilizing sequential diversity imaging for image clarification," will be amended to refer to Application No. 09/905,693 in the first sentence following the title.

2. The petition fee of \$ 1410.00 (37 CFR 1.17(t)) was paid on 28 January, 2008.

3. Statement: The entire delay between the date this claim for benefit of an earlier filing date was due and the date this claim is filed was unintentional. One page of additional statements is enclosed to support the unintentional delay.

/ Robert A. Gonsalves /

28 January, 2008

\_\_\_\_\_  
Robert A. Gonsalves

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Date

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**Enclosures:** 1. Title and first sentence of Subject and Amended Subject Application No. 10/798,004

2. Additional statements to support the unintentional delay.

## Enclosure 1

### Title and first sentence of Subject and Amended Subject Application No.10/798,004

Title and first sentence of the Subject Application No.10/798,004	
Continuation-in-Part Application	RG-3
A Video Camera Utilizing Sequential Diversity Imaging For Image Clarification	
Background of the Invention	
The present invention relates to imaging through a random medium, such as the turbulent atmosphere or the slowly changing characteristics of a video camera.	

Title and first sentence of the Amended Subject Application No.10/798,004	
(Substitute Specification)	
Continuation-in-Part Application	
A Video Camera Utilizing Sequential Diversity Imaging For Image Clarification	
Background of the Invention	
The present invention is a Continuation-in-Part of Application No. 09/905,693 entitled, "Sequential Diversity Imaging," filed on November 14, 2000, and it relates to imaging through a random medium, such as the turbulent atmosphere or the slowly changing characteristics of a video camera.	

## **Enclosure 2**

### **Additional Statements to Support the Unintentional Delay**

#### **SUBJECT APPLICATION**

Inventor: Robert A. Gonsalves  
App. No. 10/798,004 Art Unit: 2622  
Filed: 12 March, 2004 Examiner: Luong T. Nguyen  
Title: A video camera utilizing sequential diversity imaging for image clarification

#### **REFERENCE APPLICATION**

Inventor: Robert A. Gonsalves  
App. No. 09/905,693 Art Unit: 2878  
Filed: 14 November, 2000 Examiner: Patrick J. Lee  
Title: Sequential diversity imaging Office Action: 19 November, 2003

1. The Subject Application was meant to be filed as a Continuation-in-Part for the Reference Application as amended on 2 October, 2003, and as a timely response to the above Office Action on the Reference Application. However, the first sentence of the Subject Application contained no reference to the Reference Application and this omission caused it to lose the earlier filing date. The omission was unintentional.

2. The Subject Application was filed during the pendency of the Reference Application. A time line for the two Applications is as follows:

14 November, 2000	Filing date of the above Reference Application, No. 09/905,693, entitled "Sequential diversity imaging."
19 November, 2003	Mailing date of the above Office Action on the Reference Application by Examiner Patrick J. Lee, Art Unit 2878. Response due by 19 February, 2004.
23 February, 2004	Date the USPTO received a Petition for a one-month extension to reply to the aforementioned Office Action. The Petition was filed with a Certificate of Mailing, dated 18 February, 2004.
12 March, 2004	Filing date of the above Subject Application, No. 10/798,004, entitled, "A video camera utilizing sequential diversity imaging for image clarification."
19 March, 2004	Last day for the two Applications to be copending.

3. The Oath filed with the Subject Application on 12 March, 2004, cites the Reference Application No. 09/905,693, which is an indication that the Subject Application was meant to be a continuation of the Reference Application.